

E-FILED on 9/24/07

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

COMPUTER CACHE COHERENCY
CORPORATION,

Plaintiff,

v.

VIA TECHNOLOGIES, INC. and VIA
TECHNOLOGIES, INC. (USA),

Defendants.

No. C-05-01668 RMW

ORDER DENYING MOTION TO STRIKE
EXPERT REPORT OF MICHEL DUBOIS RE:
PLAINTIFF'S OPPOSITION TO VIA'S
MOTION FOR SUMMARY JUDGMENT OF
NON-INFRINGEMENT AND INVALIDITY
[**Re Docket No. 177**]

COMPUTER CACHE COHERENCY
CORPORATION,

Plaintiff,

v.

INTEL CORPORATION,

Defendant.


No. C-05-01766 RMW

ORDER DENYING MOTION TO STRIKE
EXPERT REPORT OF MICHEL DUBOIS RE:
PLAINTIFF'S OPPOSITION TO INTEL'S
MOTION FOR SUMMARY JUDGMENT OF
NON-INFRINGEMENT AND INVALIDITY
[**Re Docket No. 122**]

In both above-captioned cases, defendants Via and Intel separately moved to strike the expert report of Dr. Michel Dubois submitted in support of plaintiff Computer Cache Coherency Corporation's ("CCCC") opposition to each defendant's motion for summary judgment of non-

1 infringement and invalidity. Both defendants argued that the court should strike Dr. Dubois's expert
2 report because it was unsworn. CCCC opposed each defendant's motion to strike Dubois's report.
3 In its oppositions, CCCC pointed out that it had filed a declaration by Dr. Dubois attesting under
4 oath that the facts and opinions contained in his expert reports are accurate, true, and correct,
5 including the disputed declaration. Neither defendant filed a reply to CCCC's opposition.
6 Accordingly, because the court is satisfied that Dr. Dubois has made the requisite attestation under
7 oath, the court denies each defendant's motion to strike the disputed expert reports.

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10 DATED: 9/21/07



RONALD M. WHYTE
United States District Judge

United States District Court
For the Northern District of California

